

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Lisa J. Prosser, Senior Deputy Clerk.

F052307 People v. Roehrenbaeck

Cause called and argued by Carl M. Faller, Esq., counsel for appellant and by Amanda Cary, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Levy, Acting P.J. directs Cornell, Acting P.J. to act as Presiding Justice in his absence and leaves the bench with Gomes, J.; they are replaced by Dawson, J. and Kane, J.

F052696 People v. Wynia

Cause called and argued by Richard J. Krech, Esq., counsel for appellant and by Laura W. Simpton, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F053080 People v. Howell

Cause called and argued by Lynette Moore, Esq., counsel for appellant and by Alice Su, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, July 9, 2008 at 10:00 A.M.

F052336 People v. Burciaga

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

- F052336 People v. Burciaga**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F054181 In re I.S., a Minor**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F054181 In re I.S., a Minor**
The order terminating parental rights is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051033 Savang v. Club One Casino, Inc.**
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F055127 Jandro, a Minor, etc. v. Madera Unified School District et al.**
No brief having been filed by appellant after notice duly given under rule 8.220(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal of said appellant(s) in the above-entitled action is dismissed.
- F055121 In re Samuel G., Jr. et al., Minors**
No brief or request for extension of time has been filed within the time provided. Accordingly, we dismiss the above-entitled appeal.
- F055201 Eleazar R., v. The Superior Court of Fresno Co.; Fresno Co Dept of Children & Family Services**
The above-entitled case is submitted for decision.
- F054774 In re Christina M., a Minor**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F054774 **In re Christina M., a minor**
The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054464 **In re Charles R., a Minor**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F054464 **In re Charles R., a Minor**
The maximum term of physical confinement of five years one month set by the court is stricken. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054551 **People v. Hernandez**
The above-entitled case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F054551 People v. Hernandez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F053612 Payless Shoe Source v. Workers' Compensation Appeals Board and Rhonda Dalerio

The WCAB's order denying reconsideration is annulled. The matter is remanded to the WCAB to conduct further proceedings as it deems appropriate to determine whether a legal basis exists to rate Dalerio's permanent disability under the 1997 PDRS.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052307 People v. Roehrenbaeck

The judgment is reversed and the matter is remanded with directions to the trial court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054673 People v. Vega

The above-entitled case is submitted for decision.

F054673 People v. Vega

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F053889 Bussard, Sr. v. Department of Motor Vehicles

Filed modification of opinion (no change in judgment) and certifying for publication. Kane, J.

We concur: Cornell, Acting P.J.; Gomes, J.

[CERTIFIED FOR PUBLICATION]

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F053667 People v. Drake

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F053667 People v. Drake

The appellant's sentence is reversed. The case is remanded to the trial court to stay execution of appellant's consecutive sentence of 25 years to life on count one, the assault with intent to commit rape conviction. The court shall prepare an amended abstract of judgment reflecting this change and forward it to the appropriate authorities. The judgment is otherwise affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055099 In re Nicholas L., a Minor

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.